

1.1 moves to amend H.F. No. 2856, the delete everything amendment
1.2 (H2856DE2), as follows:

1.3 Page 19, after line 6 insert:

1.4 "Sec. 14. **[604.135] CRITICAL INFRASTRUCTURE; JOINT AND SEVERAL**
1.5 **LIABILITY.**

1.6 (a) A person who is convicted of trespass under section 609.6055 or damage to property
1.7 under section 609.594, or is arrested for a violation of one or both of those sections and
1.8 convicted of another offense arising out of the same behavioral incident, may be held liable
1.9 for any damages to personal or real property committed by the person while trespassing or
1.10 causing damage to property.

1.11 (b) A person or entity that knowingly recruits, trains, aids, advises, hires, counsels,
1.12 conspires with, or otherwise procures another for the purpose of trespassing or causing
1.13 damage to property as described in paragraph (a) may also be jointly and severally liable
1.14 for the damages under paragraph (a).

1.15 (c) A labor organization, its leaders, or its members shall not be subject to this provision
1.16 unless the labor organization, its leaders, or its members knowingly recruits, trains, aids,
1.17 advises, hires, counsels, conspires with, or otherwise procures another for the purpose of
1.18 trespassing or causing damage to critical infrastructure.

1.19 (d) As used in this section, "labor organization" has the meaning given in section 179.01,
1.20 subdivision 6.

1.21 (e) Nothing in this section shall interfere with the rights specifically granted in sections
1.22 179.01 to 179.17, the Fair Labor Standards Act.

1.23 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to causes
1.24 of action arising on or after that date."

2.1 Page 46, after line 26 insert:

2.2 "Sec. 13. Minnesota Statutes 2016, section 609.594, subdivision 2, is amended to read:

2.3 Subd. 2. **Prohibited conduct; penalty.** (a) Whoever causes damage to the physical
2.4 property of a critical public service facility, utility, or pipeline with the intent to significantly
2.5 disrupt the operation of or the provision of services by the facility, utility, or pipeline and
2.6 without the consent of one authorized to give consent, is guilty of a felony and may be
2.7 sentenced to imprisonment for not more than ten years or to payment of a fine of not more
2.8 than \$20,000, or both.

2.9 (b) A person who intentionally aids, advises, hires, counsels, or conspires with or
2.10 otherwise procures another to violate paragraph (a) may be held criminally liable under
2.11 section 609.605. A "person" for these purposes means an individual, partnership, association,
2.12 public or private corporation, or other entity.

2.13 (c) A labor organization, its leaders, or its members shall not be subject to this unless
2.14 the labor organization, its leaders, or its members intentionally aids, advises, hires, counsels,
2.15 or conspires with or otherwise procures an individual to damage critical infrastructure.

2.16 (d) As used in this section, "labor organization" has the meaning given in section 179.01,
2.17 subdivision 6.

2.18 (e) Nothing in this section shall interfere with the rights specifically granted in sections
2.19 179.01 to 179.17, the Fair Labor Standards Act.

2.20 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to offenses
2.21 committed on or after that date.

2.22 Sec. 14. Minnesota Statutes 2016, section 609.6055, subdivision 2, is amended to read:

2.23 Subd. 2. **Prohibited conduct; penalty.** (a) Whoever enters or is found upon property
2.24 containing a critical public service facility, utility, or pipeline, without claim of right or
2.25 consent of one who has the right to give consent to be on the property, is guilty of a gross
2.26 misdemeanor, if:

2.27 (1) the person refuses to depart from the property on the demand of one who has the
2.28 right to give consent;

2.29 (2) within the past six months, the person had been told by one who had the right to give
2.30 consent to leave the property and not to return, unless a person with the right to give consent
2.31 has given the person permission to return; or

2.32 (3) the property is posted.

3.1 (b) Whoever enters an underground structure that (1) contains a utility line or pipeline
3.2 and (2) is not open to the public for pedestrian use, without claim of right or consent of one
3.3 who has the right to give consent to be in the underground structure, is guilty of a gross
3.4 misdemeanor. The underground structure does not need to be posted for this paragraph to
3.5 apply.

3.6 (c) Unless a greater penalty is provided elsewhere, whoever violates this section with
3.7 intent to damage, destroy, or tamper with equipment, or significantly impede or inhibit
3.8 operation, is guilty of a felony and may be sentenced to imprisonment for not more than
3.9 three years or to payment of a fine of not more than \$5,000, or both.

3.10 (d) A person who intentionally aids, advises, hires, counsels, or conspires with or
3.11 otherwise procures another to violate paragraphs (a), (b), or (c) may be held criminally
3.12 liable under section 609.605. A "person" for these purposes means an individual, partnership,
3.13 association, public or private corporation, or other entity.

3.14 (e) A labor organization, its leaders, or its members shall not be subject to this provision
3.15 unless the labor organization, its leaders, or its members intentionally aids, advises, hires,
3.16 counsels, or conspires with or otherwise procures another to trespass on critical infrastructure.

3.17 (f) As used in this section, "labor organization" has the meaning given in section 179.01,
3.18 subdivision 6.

3.19 (g) Nothing in this section shall interfere with the rights specifically granted in sections
3.20 179.01 to 179.17, the Fair Labor Standards Act.

3.21 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to offenses
3.22 committed on or after that date."

3.23 Renumber the sections in sequence and correct the internal references

3.24 Amend the title accordingly